
Remarks

The numbered paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

Claim Rejections - 35 USC § 112

1. The Examiner provided the citation to 35 U.S.C. § 112. The applicant believes that not specific response to this paragraph is required.
2. The Examiner rejected claims 13 and 15-20 "under 35 U.S.C. 112, second paragraph, as being indefinite. The applicant has requested that claims 13 be amended to remove the confusion by removing the "device" term and associating "the group consisting of a bolt, a pin, a screw, a weld, a braze and a clamp" with the "means for fastening and by canceling claims 15 and 17 as being redundant to the new claim 13. The applicant believes that this amendment is fully responsive to the rejection of this paragraph and the applicant respectfully requests reconsideration and withdrawal of this rejection.

Claim Rejections - 35 USC § 102

Claim Rejections - 35 USC § 103

3. The Examiner provided the citation to "35 U.S.C. § 102 that forms the basis for the rejections under this section made in this Office action." The applicant believes that no specific response is required to this paragraph.
4. The Examiner provided the citation to "35 U.S.C. § 103(a) that forms the basis for all obviousness rejections under this section made in this Office action." The applicant believes that no specific response is required to this paragraph.

5. The Examiner rejected claims 13, 16 and 20 "under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Peters (US Patent Number 2,678,187)." As explained in the previous response, the applicant's review of the Peters patent leads the applicant to the conclusion that the elements of claim 13, on which claims 15 and 17 depend and which incorporate all of the limitations of claim 13, are not disclosed in the Peters patent. What the Examiner calls a plug head (37a) is described in Peters as "quadrant points of a channel" (Peters column 3, lines 24-25). The Examiner refers to a washer (41) as a plug head band and identifies the O ring of Peters (Peters column 3, line 10) as a plug head. Moreover, the applicant has specifically, in claim 13, called out the limitation of a the plug had band fitting within a recess in the plug stem base cavity. The applicant is unable to identify any such structure in the cited reference. Accordingly, the applicant believes that the invention as previously claimed was nether described nor suggested by the cited or any other known reference(s). The applicant respectfully requests reconsideration and withdrawal of this rejection. Although the applicant believes the claims as previously presented are neither described or suggested by the Peters or any other known reference, in order to expedite the prosecution process of this application the applicant has further limited the description of the plug head of applicant's invention as having a generally flat surface extending across and located in the plug stem base cavity, which is held in contact with the plug stem base and a generally convex surface extending outward from the plug stem base and the plug stem base cavity thereby able to entirely close off a flow path, as shown and described in figures 1-4 and page 20, lines 6-9. The applicant believes that this

structure of the plug head is fully shown in each figure of applicant's application and is therefore enabled and is not new matter. Moreover, the applicant believes that this description of the plug head should make clear the novel and non-obvious distinctions and differences between the applicant's invention and the Peters patent. The applicant believes that claim 13, and claims 16 and 18-20 which depend on claim 13 and incorporate the limitations of claims 13, previously and especially as currently amended, are neither described nor suggested by the Peters or any other known reference. The applicant believes that this amendment and these remarks are fully responsive to the rejection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this rejection.

6. The Examiner rejected claims 15 and 17 "under 35 U.S.C. 103(a) as being unpatentable over Peters." The applicant has requested that claims 15 and 17 be cancelled as the material contained therein is now incorporated in claim 13 on which these claims depend. The applicant believes that the cancellation of these claims is fully responsive to the rejection of this paragraph.

7. The Examiner rejected claims 18 and 19 "under 35 U.S.C. 103(a) as being unpatentable over Peters . . . and further in view of Maier et al." As previously noted claim 13, on which claims 18 and 19 depend describe a structure and elements not found in either the Peters or the Maier et al. references. In particular, neither reference appears to disclose or suggest the use of a plug head band located in a recess in the side wall of the plug stem base cavity and held in place by a band retainer as shown and claimed in claim 13. The applicant has amended claim 13 to more clearly point out that the recess is located in the side wall of the plug stem base cavity. This feature is show clearly in

figures 1, 3 and 4 and is therefore fully enabled and is not new matter. The applicant believes that claim 13, on which claims 18 and 19 depend, is neither shown, described nor suggested by the cited or any other known references. The applicant believes this response and amendment are fully responsive to this rejection and the applicant respectfully requests reconsideration and withdrawal of the rejection of this paragraph.

Response to Arguments

8. The Examiner indicated that the "Applicant's arguments with respect to claims 13 and 15-20 have been considered but are moot in view of the new grounds of rejection." The applicant appreciates the Examiners consideration and believes that no specific response to this paragraph is required.

Conclusion

9. The Examiner indicated that the "applicant's amendment necessitated the new ground(s) or rejection" and that "accordingly this action is made final." The applicant has responded to this final action by submitting with this Amendment/Response a Request for Continued Examination and the required fees. The applicant believes that this submitted response is fully responsive to this Office action and respectfully requests continued prosecution, consideration and allowance. The Examiner also provided information concerning the period for reply to this action. The applicant is filing this response during the permitted extension period with a petition for extension of time and fee and accordingly believes that this response is being timely filed.

Communication

10. The Examiner has provided information concerning communication and/or inquiries concerning this case and has provided information regarding the faxing of responses to Office actions. Applicant appreciates the Examiner's willingness to communicate and assistance regarding this case and believes no response to this paragraph is necessary.

The applicant has requested that claim 13 be amended as previously described and that claims 15 and 17 be cancelled as previously described. The applicant believes that all issues and points of the Examiner's Office action have been addressed. Applicant believes that the pending claims 13, 16 and 17-20, including amended claim 13 are patentable over all known prior art. Applicant respectfully requests reconsideration and allowance of this application.

Respectfully submitted this 1st day of April, 2004.



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